

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 361

Introduced by Bohlke, 33

Read first time January 13, 1999

Committee: Transportation

A BILL

1 FOR AN ACT relating to the Nebraska Motor Vehicle Operator's
2 License Act; to amend sections 60-484, 60-486, and
3 60-4,100, Reissue Revised Statutes of Nebraska; to change
4 provisions relating to revocation and suspension; and to
5 repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-484, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-484. (1) Except as otherwise provided in the Motor
4 Vehicle Operator's License Act, no resident of the State of
5 Nebraska shall operate a motor vehicle upon the alleys or highways
6 of the State of Nebraska until the person has obtained an
7 operator's license for that purpose. Application for an operator's
8 license shall be made under oath or affirmation on uniform blanks
9 prepared and furnished by the director to the county treasurers,
10 the examiners of the Department of Motor Vehicles, and any local
11 examiners. The standard application blanks shall be sufficient in
12 form and content to substantially carry out the purposes of the
13 act. In addition to any other information and questions necessary
14 to comply with the requirements and purposes of the act, the
15 application shall include the name, age, post office address, place
16 of residence, date of birth, sex, social security number, and brief
17 description of the applicant, the voter registration portion
18 pursuant to section 32-308, the advisement language required by
19 subsection (10) of section 60-6,197, and the following:

20 (a) Do you suffer from any physical impairment that would
21 detract from normal ability to safely operate a motor vehicle?

22 (b) Have you suffered dismemberment of foot, leg, hand,
23 or arm?

24 (c) Are you subject to vertigo or fainting spells?

25 (d) Has your operator's license ever been revoked or
26 suspended in Nebraska, or has your operator's license been revoked
27 or suspended within the fifteen years immediately preceding the
28 date of application in any other state or jurisdiction in the

1 United States, and, if so, give date and period of and reason for
2 each such occurrence.

3 (e) Do you wish to register to vote as part of this
4 application process?

5 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING
6 QUESTIONS:

7 (f) Do you wish to make an anatomical gift?*

8 If so, please complete the following:

9 I give:

10 (i) any needed organs or tissues.

11 (ii) only the following organs or tissues

12

13 (specify the organ or tissue)

14 for transplantation, therapy, or medical or dental education or
15 research.

16 (iii) my body for anatomical study if needed.**

17 Limitations or special wishes if any

18 (g) Do you wish to receive any additional specific
19 information regarding anatomical gifts?

20 *An anatomical gift means a gift of all or any part of
21 your body for transplantation, therapy, or medical or dental
22 education or research. For purposes of an anatomical gift, parts
23 of your body include organs, tissues, eyes, bones, arteries, blood,
24 other fluids, and other portions of a human body. You may make an
25 anatomical gift if you are of sound mind. The anatomical gift is
26 effective upon your death and the consent of your next of kin,
27 guardian, or other person as listed in section 71-4802.

28 **In order for you to donate your body to the State

1 Anatomical Board, you must complete a bequeathal form which is
 2 available from the board.

3
4 Signature of Donor	Date of Birth of Donor
5
6 Date Signed	City and State
7
8 Witness	Witness

9 (2) In addition to the information prescribed in
 10 subsection (1) of this section, beginning on January 1, 1998, the
 11 application shall also provide in a clear and conspicuous manner a
 12 notice that the personal information on the application is subject
 13 to disclosure as a motor vehicle record unless the individual
 14 chooses to prohibit such disclosure by filing a prescribed form
 15 with the department.

16 (3) The social security number shall not be printed on
 17 the operator's license and shall be used only (a) to furnish driver
 18 record information to the United States Selective Service System
 19 under section 60-483, (b) with the permission of the director in
 20 connection with the verification of the status of an individual's
 21 driving record in this state or any other state, or (c) for
 22 purposes of child support enforcement pursuant to section 42-358.08
 23 or 43-512.06.

24 (4)(a) Except for an individual under the age of eighteen
 25 years, each individual making an application for an operator's
 26 license or a state identification card shall furnish proof of date
 27 of birth and identity by a valid Nebraska operator's license, a
 28 valid Nebraska learner's permit, a valid Nebraska school permit, a

1 valid operator's license from another state or jurisdiction of the
2 United States, a certified birth certificate, a notarized birth
3 registration, a certified birth registration, a valid United States
4 passport, a valid United States military identification card,
5 United States military discharge papers, or other United
6 States-based identification as approved by the director.

7 (b) Any individual under the age of eighteen years making
8 an application for an operator's license or a state identification
9 card shall provide a certified copy of his or her birth
10 certificate, a notarized birth registration, a certified birth
11 registration, or other reliable proof of his or her identity and
12 age accompanied by an affidavit signed by a parent or guardian
13 explaining the inability to produce a copy of such birth
14 certificate. The applicant may be required to furnish proof to the
15 examiner that the parent or guardian signing any written
16 information is in fact the parent or guardian of such applicant.

17 Sec. 2. Section 60-486, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 60-486. No person shall be licensed to operate a motor
20 vehicle by the State of Nebraska if such person has an operator's
21 license currently under suspension or revocation in any other state
22 or jurisdiction in the United States unless the suspension or
23 revocation order was issued more than fifteen years ago.

24 When such a person presents to the Department of Motor
25 Vehicles an official notice from the state or jurisdiction that
26 suspended or revoked his or her motor vehicle operator's license
27 that such suspension or revocation has been terminated, he or she
28 may then be licensed to operate a motor vehicle by the State of

1 Nebraska.

2 Sec. 3. Section 60-4,100, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 60-4,100. The director may suspend the operator's
5 license of any resident of this state:

6 (1) Upon receiving a copy of the judgment of the
7 conviction of such person in another state of an offense therein
8 which, if committed in this state, would be grounds for the
9 suspension of the license of such operator by any trial judge or
10 magistrate in this state if the judgment was ordered within the
11 immediately preceding fifteen years;

12 (2) Who has violated a promise to comply with the terms
13 of a traffic citation issued by a law enforcement officer for a
14 moving violation in any jurisdiction outside this state pursuant to
15 the Nonresident Violator Compact of 1977 until satisfactory
16 evidence of compliance with the terms of the citation has been
17 furnished to the director; or

18 (3) Who has violated a promise to comply with the terms
19 of a traffic citation issued by a law enforcement officer for a
20 moving violation in any jurisdiction inside this state until
21 satisfactory evidence of compliance with the terms of the citation
22 has been furnished to the director.

23 The court having jurisdiction over the offense for which
24 the citation has been issued shall notify the director of a
25 violation of a promise to comply with the terms of the citation
26 only after twenty working days have elapsed from the date of the
27 failure to comply.

28 Upon notice to the director that a resident has violated

1 a promise to comply with the terms of a traffic citation as
2 provided in this section, the director shall not suspend such
3 resident's license until he or she has sent written notice to such
4 resident by first-class mail to the person's last-known mailing
5 address or, if such address is unknown, to the last-known residence
6 address of such person as shown by the records of the Department of
7 Motor Vehicles. Such notice shall state that such resident has
8 twenty working days after the date of the notice to show the
9 director that the resident has complied with the terms of such
10 traffic citation. No suspension shall be entered by the director
11 if the resident complies with the terms of a citation during such
12 twenty working days. If the resident fails to comply on or before
13 twenty working days after the date of notice, the director shall
14 summarily suspend the operator's license and issue an order. The
15 order shall be sent by registered or certified mail to the person's
16 last-known mailing address as shown by the records of the
17 department.

18 Upon the expiration of any license suspension ordered
19 pursuant to this section, a resident may have his or her license
20 reinstated upon payment of a fee of ninety-five dollars. The fee
21 shall be waived if seven years have passed since expiration of the
22 license suspension order. The fees paid pursuant to this section
23 shall be remitted to the State Treasurer. The State Treasurer
24 shall credit fifty dollars of each fee to the General Fund and
25 forty-five dollars of each fee to the Department of Motor Vehicles
26 Cash Fund.

27 Sec. 4. Original sections 60-484, 60-486, and 60-4,100,
28 Reissue Revised Statutes of Nebraska, are repealed.